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Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-fifth year

Identical letters dated 1 October 2010 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

As world leaders converged on the United Nations for the general debate of the sixty-fifth session of the General Assembly, a central message was made abundantly clear by the overwhelming majority of leaders: international law must be respected and honoured by all, for this is the main pillar of our international system aimed at ensuring peaceful, secure, friendly and equitable relations among nations and ensuring the protection and promotion of the human rights of all peoples.

This central message was of direct relevance to the question of Palestine and the references to the need for achieving a just and lasting solution and the ongoing efforts by the international community to promote the peace talks and to prevent their collapse under the weight of the intransigence and impunity of Israel, the occupying Power. The international consensus in this regard is strong. Now more than ever, Member States are united in their call upon Israel to respect its legal obligations as an occupying Power and to cease forthwith its violations of the Fourth Geneva Convention and the many relevant United Nations resolutions. There is unanimity in the conviction that such respect for the law is imperative for promoting an environment conducive to the pursuit of peace, and indeed for salvaging the prospects for achievement of the two-State solution for peace on the basis of the pre-1967 borders. In particular, the international community is firmly united in its demand that Israel cease its illegal settlement campaign in the Occupied Palestinian Territory, including East Jerusalem.

Regrettably, Israel has responded to these calls from all corners of the globe with defiance, intransigence, indifference and even blatantly expansionist and racist proposals. As the so-called "10-month moratorium" on settlement construction in the Occupied West Bank expired, Israeli officials, including senior members of government, have proceeded to make several provocative statements, including in the context of official visits to illegal settlements, in a reflection of their determination to continuing colonizing the Occupied Palestinian Territory, including

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East Jerusalem, regardless of the fact that such actions constitute clear breaches of international humanitarian law and regardless of the gravely detrimental impact on the newly resumed peace process and the concerted and noble efforts being exerted in this regard by all members of the international community and led by the efforts of the United States of America.

Among the many provocative actions and statements made in recent days, Israeli Vice-Prime Minister Silvan Shalom inaugurated an illegal settler-only road in Al-Khalil (Hebron) on 27 September. The road, estimated to cost around $5 million, will be funded by the Ministry of Transportation. Mr. Shalom also declared to the media that he considered the settlement moratorium to be an unwarranted mistake and vowed that it would not be repeated. Such actions by senior members of the Israeli government reflect the determination of the occupying Power to once again recklessly defy the rule of law and to choose intransigence over cooperation. This cannot be understood other than as constituting a clear Israeli decision to remain on the path of occupation, settlements and colonization rather than the path of peace, based on United Nations resolutions, the land for peace principle at the core of the Madrid terms of reference, the Arab Peace Initiative and the Quartet road map, the basis for peace repeatedly reaffirmed and consensually supported by the international community.

At the same time, in the past few days, Israeli settlers have committed acts of violence and provocation, including razing fields, setting up caravans and undertaking illegal construction activities in settlements across the Occupied Palestinian Territory, including in and around East Jerusalem. Extremist settlers have also stepped up their attacks against unarmed Palestinian civilians living in villages close to illegal settlements. Most notably, as Palestinians begin the olive harvest season, Israeli settlers have once again begun burning and cutting olive orchards, in addition to stealing the cherished harvest that provides the sustenance and livelihood for so many Palestinian families. Moreover, it is well known that such acts of violence, terror and intimidation by extremist and aggressive settlers are being carried out under the watchful eye and protection of the Israeli occupying forces.

In addition, we must express our alarm and outrage at the offensive and provocative remarks made on Tuesday, 28 September, by the Israeli Foreign Minister in the General Assembly. In this regard, it must be recalled that this provocation came on the same date as 10 years earlier when former Israeli Prime Minister Ariel Sharon committed the grave provocation of descending with occupying forces upon Al-Haram al-Sharif (the Noble Sanctuary) in Occupied East Jerusalem, igniting the second intifada. This Foreign Minister's blatant distortions before the Assembly of the internationally accepted and known facts regarding Israel's occupation of the Palestinian Territory, including East Jerusalem, and other Arab territories since 1967, as well as his racist advocacy for a population transfer as part of a final settlement, are outrageous and must be unequivocally rejected. Furthermore, it should be cause for alarm for all those who believe in the urgency of reaching a peaceful and comprehensive settlement on the basis of the two-State solution and who are exerting enormous efforts towards that end that the Foreign Minister stated, on behalf of his government, that Israel seeks an interim agreement that would be implemented over a few decades.

Such statements totally contradict the international commitment and prevailing international vision for a final peace settlement, as enshrined in relevant Security Council resolutions, and the consensus position that negotiations for such a peace settlement can and should be finalized within one year's time, allowing the Palestinian people to finally exercise their inalienable right to self-determination by achieving the independence of their State of Palestine, with East Jerusalem as its capital, on the land occupied since 1967. We highly regret that the Minister was permitted to spew such incitement and hatred from the General Assembly's rostrum and to make a mockery of the international community and its efforts to achieve just and lasting peace and security in the Middle East. Indeed, such provocative and irresponsible statements should be met with the appropriate stern reaction from all global partners for peace, individually and collectively.

The Israeli decision to continue on the path of impunity, acting as a State above the law, and indeed mocking the law and those who adhere to it and call for its respect, must be cause for great concern of the international community. Such a challenge to the rule of law and the collective will of the international community must not be met with indifference, for the potential ramifications are very serious and will gravely impact the region and beyond. The international community must remain firm in its demand that Israel, the occupying Power, abide by its obligations under international law, including humanitarian and human rights law and the relevant resolutions, and that it conscientiously uphold its commitment to and its responsibilities for making peace a reality.

Finally, in this regard, we wish to express our appreciation to Your Excellency for reiterating the global demand that Israel, the occupying Power, respect its international obligations and freeze all settlement activity in the Occupied Palestinian Territory, including East Jerusalem. We reiterate that all Israeli settlements are illegal under international law and as such must neither be permitted to prejudge the outcome of final status negotiations nor enjoy any legitimacy from the international community. It is clear that the construction and expansion of this most egregious violation of international law constitutes a grave danger not just to the collective peace effort but also in reality to the very viability of the two-State solution. We thus trust that the international community will maintain its resolve to confront this threat in the appropriate manner and in so doing protect the credibility and respect of our international system and the prospects for attaining peace and security in the Middle East.

This letter is in follow-up to our previous 374 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 17 September 2010 (A/ES-10/501-S/2010/489), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable, and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer of Palestine to the United Nations